

FILING BY "EXPRESS MAIL" UNDER 37 CFR 1.10

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF

LE GRAND ET AL.

APPLICATION NO: 10/507,139

FILED: SEPTEMBER 9, 2004

FOR: AZETIDINE DERIVATIVES AS CCR-3 RECEPTOR ANTAGONISTS

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

STATEMENT OF UNINTENTIONAL DELAY FOR THE PAYMENT OF THE ISSUE FEES

Sir:

The Notice of Allowance sent on May 21, 2007 was required to be paid by August 21, 2007. However, the issue and publication fees were not properly filed. As can be seen from the attached facsimile, an attempt was made to pay the required fees on August 21, 2007 at 4:38 in the afternoon, which would have been timely. Unfortunately, the facsimile did not go through and due to an unintentional oversight, the error was not timely corrected.

Please charge Deposit Account No. 19-0134 in the name of Novartis in the amount of \$1500 for the unintentional delay, \$1700 for payment of the issue and publication fee, and the \$30 required for obtaining an Advance Order of 10 copies. The Commissioner is hereby authorized to charge any additional fees under 37 CFR §1.17 which may be required, or credit any overpayment, to Account No. 19-0134 in the name of Novartis.

Respectfully submitted,



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Date: 5 September 2007